CLOSE OF THE FIGHT

NICHOLSON BILL FINALLY PASSED BY GENERAL ASSEMBLY.

Governor Matthews Will Now Sign the Measure, So Those Say Who Are Very Close to the Executive.

THE DRUGGISTS' SECTION

CONFERENCE COMMITTEE CHANGES

IT SATISFACTORILY.

Mr. Nicholson Satisfied with Section 1-2-Conference Report Goes Through with a Rush.

It is not within the province of the Nichol-General Assembly. The conference committee appointed to adjust the differences between the House and Senate made its report yesterday afternoon, the report was accepted on both sides of the Statehouse, and it now remains for the Governor to say whether the bill shall become a law or not. Those best qualified to say what the Governor will do, say that he will sign the bill, and with the publication of the acts and the Governor's proclamation, the Nicholson bill will become a law of the State.

tee in making its report gave rise to all sorts of rumors to the effect that the nmittee was conspiring to kill the bill, and the ultra temperance sentiment was greatly wrought up at the prospect of the alleged high-handed outrage that it was charged was under contemplation.

Yesterday Senators and Representatives were flooded with telegrams from the saloon keepers from all parts of the State asking the legislators to stand firm for Section 91/2 which, as adopted by the Senate, hedges the druggist about with stringent restrictions in the sale of liquor. Senator Crumpacker received a telegram signed by twenty-six of the saloon keepers from La-Porte, asking that the section relating to the druggists should be allowed to stand

without change.

The wrought up condition that prevailed in the Senate was relieved at 3 o'clock when it was announced that the committee was ready to make its report. The pending business was suspended and the report was read. The report is as follows:

To the Senate and House of Representatives:

Your conference committee, consisting of S. E. Nicholson, F. E. Holloway, Ward H. Watson and J. W. Crumpacker, to whom was referred Section 9½ of engrossed House bill No. 165, would respectfully report as fol-lows, to wit: bill No. 165, would respect the lows, to wit:

Section 9½. It shall be unlawful for any spirituous, vinous or malt liquors to be sold or given away in any drug store in any quantity less than a quart at a time, except upon the written prescription of a reputable practicing physician. Any person violating physician.

practicing physician. Any person violating any of the provisions of this section shall be fined for the first offense the sum of \$25, and for the second offense in any sum not less than \$25 nor more than \$200, to which may be added imprisonment in the county jail not exceeding six months.

Section 9½, as passed by the Senate, provided that a physician who is the owner of a drug store could not give a prescription for the purchase of liquor from his store. It prohibited the druggist from selling or giving the liquor in any quantity without a prescription. It also made it compulsory on the court to add imprisonment to the fine for a second offense.

VOTE IN THE SENATE

VOTE IN THE SENATE. The report being read, the motion was made to adopt the report of the committee. Many members insisted on explaining their votes. Senator Kern declared that the conference committee had yielded to the clamor of the druggists, and that the changes made had the effect to take the life out of the bill, and had rendered it a harmless and

The report of the committee was adopted by a vote of 40 to 7, as follows:

Ayes—Alexander, Baker, Barnes, Beck, Bethell, Bird, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Gostlin, Haggard, Holler, Houghton, Humphreys, Johnson, Kerns, LaFollette, Leyden, McCord, McCutchan, McDonald, McHugh, McKelvey, McLean, Mull, Newby, O'Brien, Phares, Rinear, Schneck, Seif, Shiveley, Sweeney, Vaile, Watson and White.

Nocs—Ellison, Gifford, Kern, Parker, Seller, Stuart and Wray.

The question was raised as to whether it was necessary to again pass the bill, and it was decided to take no chances on an omission that might raise a question, and the bill was again passed by a vote of 38 to 9, as follows: by a vote of 40 to 7, as follows:

as follows:

Ayes—Baker, Barnes, Beck, Bethell, Boord, Boyd, Bozeman, Collett, Cranor, Crumpacker, Duncan, Ellison, Gifford, Gostiin, Haggard, Holler, Houghton, Kerns, LaFollette, McCord, McCutchan, McDonald, McKelvey, McLean, Mull, Newby, O'Brien, Parker, Phares, Rinear, Schneck, Seller, Self, Shiveley, Valle, Watson, White and Wray.

Noes—Alexander, Bird, Humphreys, Johnston, Kern, Leyden, McHugh, Stuart and Sweency.

"A very unanimous report," was what Mr. Nicholson, author of the famous temperance hill, announced in the House at 3 o'clock. It had been whispered about that a compromise had been reached favorable to the Nicholsonites. The report was read, and then, without parleying, the Speaker put the report before the House for adoption, and the adoption was by a unanimous vote. For a few minutes there was a continuous hand-clapping, and the long fight was over.

was over.

In order to clinch the action and make positive the legality of the action, the House later reconsidered its action, and by an aye and no vote concurred in the report. The only ones who voted against the report were Messrs. Bobilya, Farrell, Kelley, O'Brien, Remington, Vonnegut, Finkbiner, Willoughby, Kamp and Holloway. There were 59 ayes and 10 noes.

THE BILL IN FULL. The amended bill is as follows:

The amended bill is as follows:

A bill for an act to better regulate and restrict the sale of intoxicating, spirituous, vinous and malt liquors, providing penalties for the violation of the same, providing for the enforcement thereof, and providing for the remonstrance against the granting of license or the sale of the same, and conferring jurisdiction upon police courts and justices of the peace in cases of violation of the provisions of this act, and other laws of the State on the subject of selling intoxicating liquors.

Section 1. Be it enacted by the General Assembly of the State of Indiana, that hereafter all persons applying for license before the Board of County Commissioners, under the existing law of the State of Indiana, to sell spirituous, vinous, malt or other intoxicating liquors, shall, in such application, specifically describe the room in which he desires to sell such liquors and the exact location of the same, and if there

In two years of the time when such application is made he shall have been adjusted guilty the second time of violating any of the provisions of this act.

Sec. 2. All persons holding license issued under the law of the State of Indiana authorizing the sale of spirituous, vinous, malt or other intoxicating liquors in less quantities than a quart at a time shall

malt or other intoxicating liquors in less quantities than a quart at a time shall provide for the sale of such liquors in a room separate from any other business of any kind and no devices for amusement or music of any kind or character, or partitions of any kind or character, or partitions of any kind shall be permitted in such room. And, provided, further, that it such applicant for license desires to carry on any other or different business he shall state the same in his application for license and the same may be granted or refused by the Ecard of Commissioners hearing such application, and such permission shall be stated in the license, if granted.

Sec. 2. Any room where spirituous, vincous, malt or other intoxicating liquors are sold by virtue of a license under the law of the State of Indiana, shall be so arranged that the same shall be securely closed and locked and admission thereto prevented and all persons excluded therefrom upon all days and hours upon which the sale of such liquors are prohibited by law, It is hereby made unlawful for the proprietor of such a place and the business berein contemplated of selling intoxicating liquors to permit any person or persons other than himself and family to go into such room and place where intoxicating

days or hours.
Sec. 4. Any room where imtoxicating liquors are sold by virtue of a license issued under the laws of the State of Indiana for liquors are sold by virtue of a license issued under the laws of the State of Indiana for the sale of spirituous, vinous, malt or other intoxicating liquors in less quantities than a quart at a time, with permission to drink the same upon the premises, shall be situated upon the ground floor or basement of the building where the same are sold and in a room fronting the street or highway upon which said building is situated, and said room shall be so arranged, either with window or glass door, as that the whole of said room may be in view of the street or highway, and no blinds, screens or obstructions to the view shall be arranged, erected or placed so as to prevent the entire view of said room from the street or highway upon which the same is situated, during such days and hours when the sale of such liquors are prohibited by law. Upon conviction for the violation of this or either of the foregoing sections of this act the defendant shall be fined in any sum not less than \$10 nor more than \$100, to which may be added imprisonment in the county jail not exceeding ninety days, and, in case of conviction for the second offense, either upon a piec of guilty or conviction upon trial thereof, in any Circuit, Superior, Criminal, justice or Police court of Indiana, as a part of the judgment the court may make an order revoking the license of the person convicted, which said judgment shall have the effect to completely annul and set aside such license and all privileges and rights under the same.

And upon the third conviction or plea of guilty entered the court rendering judgment thereon shall annul and set aside such license and all privileges and rights under the same.

Sec. 5. Any person engaged in the sale of spirituous vinous malt annul and set aside of spirituous vinous malt annul and s

Sec. 5. Any person engaged in the sale of Sec. 5. Any person engaged in the sale of spirituous, vinous, malt or any other intoxicating liquors to be drunk as a beverage who shall allow, suffer or permit any person under the age of twenty-one years to loiter in the saloon or place of business where said person is engaged in the sale of spirituous, vinous, malt or other intoxicating liquors as aforesaid shall, upon conviction thereof, be fined in any sum not less than \$10 nor more than \$100, to which imprisonment in the county jail may be added not exceeding ninety days.

county jail may be added not exceeding ninety days.

Sec. 6. Whoever, direc'ly or indirectly,
sells or delivers any spirituous, vinous, malt
or other intoxicating liquors to any person
under the age of twenty-one years, either
for his own use or for the use of any other
person whomsoever, shall be fined in any
sum not more than \$100 nor les than \$20, to
which may be added imprisonment in the
county jail not exceeding ninety days.

Sec. 7. It is hereby made the duty of all
peace officers, to wit: Town and city marshals, policemen, sheriffs and constables, residing in the township, town or city in which
any saloen may be hereafter located, to enforce the provisions of this act.

Sec 8. No more than one license shall be
granted or issued to any one person, and in
no case to any person other than the actual
owner and proprietor of said business, who
must apply in his own name and be a continuous resident of the township in which
the application for license is made at least
ninety days' time prior to the time of application and no license shall be granted or issued to any person who, in his application
for the same, is acting as the agent for another, or who proposes to conduct said business as the agent or partner of another person. Provided, that in case of the insanity
or death of the person holding a license under the provisions of the law now in force,
before the expiration of the year for which
the same was granted, the county or city
treasurer shall, on the order of the board of
commissioners of the county or council of
such city, refund to the guardian of such
insane person, the heirs, executors or administrators of said decedent or insane person, the proportionate part of the license
fees for the unexpired part of said year,
which such treasurer has received for such
license.

any county, a remonstrance in writing, signed by a majority of the legal voters of any township or ward in any city situated in said county, shall be filed with the auditor of the county against the granting of a license to any applicant for the saie of spirituous, vinous, malt or other intoxicating liquors under the law of the State of Indiana, with the privilege of allowing the same to be drunk on the premises where sold, within the limits of said township, or city ward, it shall be unlawful thereafter for such board of commissioners to grant such license to such applicant therefor during the period of two years from the date of the filing of such remonstrance. If any such license should be granted by said board during said period, the same shall be nuil and void, and the holder thereof shall be liable for any sales of liquor made by him, the same as if such sale were made without license. The number to constitute a majority of voters herein ber to constitute a majority of voters herein referred to shall be determined by the ag-gregate vote cast in said township, or city ward, for candidates for the highest office at the last election preceding the filing of such remonstrance. Sec. 9½. It shall be unlawful for any

spirituous, vinous or malt liquor to be sold or given away in any drug store in any quantity except upon the written prescription of a reputable practicing physician. Any person violating any of the provisions of this section shall be fined for the first offense the sum of \$25, and for the second offense in any sum not less than \$25 nor more than \$200, to which not exceeding six months' imprisonment may be added.

Sec. 10. All the provisions of this act shall apply to persons, places and sales of spirituous, vinous, malt and other intoxicanting liquors, whether conducted under the law of the State of Indiana, licensing, regulating and restricting the sales of such regulating and restricting the sales of such liquors to be used as a beverage, or by virtue of any laws of the United States, except as to the provisions for obtaining, revoking and remonstrating against license, which apply only to proceedings under the laws of the State of Indiana. Provided that this section shall not apply to persons who hold a prescription from a reputable physician for any drugs or medicines, or to any person selling the

NEW BISHOP'S ORDINATION.

It Will Probably Be Celebrated in Latter Part of April.

The formal negotiations among the standing committees of the Episcopal Church for the ordination of the newly-elected bishop, J. Hazen White, have been secured, and the papers have been forwarded for the consent of the bishops. The ordination will probably be celebrated April 25, in St. Paul's Church, of this city. The bishop's first public duty will be to lay the cornerstone of the chapel of the church, which will be ready in May. The foundations were begun last week.

A Child's March and April. In the public schools one day the children were given the subject "March and April," and half an hour in which to write a composition. A little miss, twelve years old, wrote the following:

March and April are two of my friends, although they are so different. March is visiting me now, and doing all she can to get ready for April. She may be blustery and rough on the outside, but she has a very warm heart and does a great deal of good. warm heart and does a great deal of good.

Now, to-day, for instance, she is just as
pleasant and smiling as you could wish, and
besides smiling so brightly, she is drying
her tears of yesterday and belping the tender young grass and vines and roots to
come out and grow. All the little buds on
the trees are trying to catch some of her
sunbeams, to help make their pretty green
dresses for the summer. Her visit will be
out soon for she has been here several in which he desires to sell such liquors, and the exact location of the same, and if there is more than one room in the building in which such liquors are intended to be sold said applicant shall specifically describe and locate the room in which he desires to sell such liquors in such building.

Provided, that no license shall be granted to any other than a male person over the age of twenty-one years, and one who shall at the time be of good moral character, and provided further than no such person shall be desmed of good moral character if within two years of the time when such application is made he shall have been adjuiged. knocks at the door, then they spring up out of bed and shake off their brown blanket and run to the door to meet her. Violet is one of the first, so is Tulip, and Daisy and Snowdrop, and lovely little yellow But-tercup. Ah, yes, there is the delicate face of my little favorite, Spring-beauty; they are all so glad to see April. April seems fickle because she is so froll csome, but she is a

great favorite with all the early flowers. John F. Gavin Dead.

John F. Gavin dled yesterday noon at his home, 261 South Pennsylvania street, of congestion of the brain, the result of an attack of the grip. He had many friends here and throughout the State. For five years he was connected with the New York Store, but has been traveling more recently for an Eastern shoe house. Deceased was twenty-eight years old and a brother of William and Joseph Gavin, who have been identified with Dickson & Talbott's theaters in this city.

Snatched a Purse.

George Sneuvel was arrested yesterday afternoon for snatching a purse from a lady who was attending a funeral at Si. John's Church. The purse contained thirty or forty cents and was found on the ma

COMING SEWER WORK

IT WILL BE SOMEWHAT LIGHTER THAN IT WAS LAST SEASON.

Streets-Notes from

The recent annual reports of the city departments show that about three-fourths of the sewers which were outlined for this city have been completed, and that a majority of the principal streets have been improved. The improvement work this was last, but nevertheless a number of imation. The most important sewer work will be the construction of the White river inneighborhood of Greenlawn Cemetery and the river north to the Fourteenth-street river and Fall creek. There are few main sewers to build. About two miles of local sewers have already been contracted. The board has decided upon a number of

important street improvements and more are being talked of. City Engineer Brown has been instructed to prepare papers for the asphalting of Capitol avenue from Ohio street to Fall creek. The board has decided upon asphalt for this street, but the property owners have not yet been heard. Clifford avenue from Massachusetts avenue to Newman street is to be paved with asphalt. Mayor Denny yesterday suggested that the contract be let in three sections. One of them is to include the street adjacent to the Arsenal grounds, another the street adjacent to Woodruff Place and the other the lower portion of the street. It is also the intention to asphalt Fort Wayne avenue from Pennsylvania street to Central avenue and Central avenue from Fort Wayne to Tenth street. Mississippi street from Ohio to Seventh will also probably be paved. The contract for the asphalting of Washington street from Noble to Rural has been let. Indiana avenue from Illinois to California will also come up for consideration, the board at present desiring to pave it with asphalt.

A number of smaller improvements are to be considered and if all of the intentions are carried out, this will be a busy season.

To Lower Big Four Tracks. Councilman Merritt appeared before the Board of Works yesterday, asking that the Big Four Railroad Company be compelled to lower the grade of its tracks from Washington to North street. At the Ohio and New York-street crossing a cut in the grade of two feet would be necessary. City Engineer Brown said the lowering of the canal bridges between the two streets named would also be necessary. Mr. Merritt said he remembered that the company had been ordered to cut the grade several years ago, but the order had been ignored. A conference will be held with the water company and the city engineer will consider plans for lowering the grade.

Street-Cleaners' Docket. The new street inspector, Albert Ewan, has evidently started out with a determination to compel street-cleaning contractors terday he reported to the Board of Works carelessness upon the part of J. R. Kennington and Fuehring Bros. The former was docked two days for doing poor work on Delaware street from St. Clair to Seventh street. Fuehring Bros. were docked two days for improper work in the cleaning of West street from Kentucky avenue

New Inspectors and Chainmen. The Board of Works yesterday made the following appointments from the civil service inspectors; J. B. Cameron, Frank Thomas and George Champe, chainmen. The last two named are not residents of Indianapolis, Thomas being from Danville and Champe from Bloomington. Their appointments are said to be temporary. All of the appointees are to report Monday, the inspectors at a salary of \$60 a month and the chainmen at \$50.

Coude Building Walls Safe.

Building Inspector Pendergast was consulted yesterday regarding the building of the Conde building, recently gutted by fire. Mr. Pendergast has found that the walls are secure, having been constructed for a large building. Mrs. Rhodius, the owner, purposes to build a four-story, stone-front building on the site. If she can secure assurances that more floors can be rented she will make the building six or seven stories

Want Sand Foundation. Judge Martindale yesterday filed with the Board of Works a petition, signed by fifty residents of North Meridian street, asking for a block pavement on a sand foundation.
The board was somewhat surprised to find
so many wanting sand, but the members
say they will not authorize such a pave-

Supplies for March. The Board of Works yesterday received bids for office supplies for the month of

March, The Journal Printing Company bid \$87.60; George Weeks, \$79.59; the Sentinel Printing Company, \$72.40 and William B. Burford, \$69.85. The latter was awarded the

Municipal Notes. W. H. Cooper, president of the Council, has been ill the past week. The Board of Works has cut the wages of bowlderers from \$2.50 to \$2 per day. Custodian Wheat, of Tomlinson Hall, has been summoned to appear before the Board of Works Tuesday. Justice of the Peace Johnson has complained that Wheat has falled to pay a rent bill long overdue.

CITY NEWS NOTES.

At the meeting of the Century Club, next Tuesday, Prof. John R. Commons will read a paper on "Socialism." Rev. D. R. Van Buskirk, pastor of the Third Christian Church, and Rev. A. J. Frank, of Greencastle, exchange pulpits to-

The John Plotz Coal Company, of New Albany, yesterday filed articles of associa-tion with the Secretary of State, capital stock \$10,000. The case of Mm. E. Evans, charged with obtaining money under false pretenses, was continued by Judge Stubbs yesterday morning until Monday, under \$500 bond.

A concert will be given at Mayflower Church Friday evening, under the auspices of the Y. P. S. C. E. The concert will in-clude a laughable cantata, "Quixotic Quak-

The Marion County Agricultural and Horticultural Society held an exhibition yesterday in the Statehouse, of prepared foods. After the prizes had been awarded, the members present and their guests are the Mrs. Hattie A. Ryder, D. D. G. C. Rath-bone Sisters, will go to Brownsburg, Mon-day, to institute a temple at that place. Victory Temple of Plainfield will exemplify

here will accompany Mrs. Ryder. The Woman's Business and Social Union of Roberts Park Church will hold its semimonthly meeting to-morrow afternoon, at 2 o'clock, instead of 2:30, in the lecture room of the church. The election of the heads of sections will take place, and other business of importance will be transacted. The Indiana McAll Mission Society will hold its ninth annual meeting to-morrow afternoon in Memorial Church, at the corner of Ash street and Christian avenue, at 3 o'clock. An interesting programme has been arranged to show the progress of the work. Speakers will be limited to five or six minutes. A general invitation is ex-tended.

The ladies of the Sewing Circle of Hall-place Church will give a musical and lit-erary entertainment next Wednesday even-ing, at the church, corner of Hall place and Seventh street. Miss Mayme Roberts, whose reputation as an elecutionist is fayor-ably known, will give a number of selec-tions. Music by a mandolin club will also be a feature.

The quilting bee last Wednesday in the parlors of Roberts Park Church was very successful, financially and socially, and will be repeated one week from next Wednesday. Orders for quilts, comforts or plain needlework can be given to the chairman. Mrs. Henry Tutewiler, 401 North Mississippi street, verbally, by mail or telephone, or to

Mrs. Nancy J. Burford III. Mrs. Nancy J. Burford, the aged mother of William B. Burford, is dangerously ill at the home of Dr. John T. Burford, No. 162 North Meridian street. Mrs. Burford has long suffered from lung trouble.



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Mrs. Emil Wulschner, president of the Woman's Business and Social Union of the

THE ROBBERS GOT NOTHING.

Engineer Ingles's Story of the Hold-Up of the European Mail.

STOCKTON, Cal., March 9.-The train near Carter's switch, about four miles from this city, at 10:20 last night. The robbers secured nothing. Engineer Ingles tells the following story: "A short distance from Carter's switch, myself and fireman House were startled by a man who crawled over the tender and, pointing a pistol at our heads, ordered us to stop the train. He was masked. I stopped the engine and the fellow then ordered us to get off, which we did. Two other masked men were standing on the ground waiting for us. They ordered us to walk back to the express car, the men telling me to instruct the messenger to open the door as they had dynamite and would blow up the car if the door was not opened. I told the messenger this and he fired two shots at the robbers. A passenger stuck his head out of one of the windows and one of the robbers fired a shot at him. The men threat-ened again to blow the car to pieces with dynamite if it was not opened and the express messenger then complied with their demands. The men got inside, taking us with them, and ransacked the car. All the money was in the big sets and they with them, and ransacked the car. All the money was in the big safe and they did not try to open it. They got nothing whatever. After satisfying themselves that there was nothing of value outside the safe and that it had been securely locked, they jumped out of the car and went ahead to the engine again, taking us with them. Reaching the engine the men uncoupled it from the train and, firing some shorts at the passenger cars to scarce their shots at the passenger cars to scarce their occupants, I suppose, pulled the throttle and started towards Lodi. A brakeman was sent back to Stockton to flag the Oregon express, which was soon to come along, and we waited until the engine came from Lodi." A sheriff's posse and two bloodhounds are in pursuit of the robbers.

F. Honkinson Smith's Lectures. Mr. F. Hopkinson Smith, who will lecture under the auspices of the Portfolio Club, announces his subjects as follows: Friday, March 15, "The Quality of the Picturesque;" Saturday, March 16, "Certain Art Fads;" Monday, March 18, "Under a White Umbrella." These are three of his best lectures and have been received with great favor in the large cities of the country during this year. None who heard him when here a few weeks ago will fail to appreciate the treat which is before them. Although these lectures relate to various phases of art Mr. Smith does not deal in technicalities, but treats his subjects with the broad culture and versatility of talent which make them entertaining to all who the broad culture and versatility of talent which make them entertaining to all who listen, whether especially interested in art matters or not. Some writer has described his as a brilliant, thoroughbred cosmopolite, "with a mind tuned to all masterful arts and illumined with a splendor which is both simple and delicate." It is true, at all events, that he impresses himself upon his hearers as a man of great talent. upon his hearers as a man of great talent, whatever the theme he handles,

Comes Club No More. The financial condition of the Cosmos Club has at last caused that organization to close its doors. The club has during its short life of about three years been one of the swell social organizations of the city. It has occupied elegant quarters at 124 North Illinois street and had the room furnished in the most elaborate style. Its social affairs during the past winter have been considered the events of the season as no expense was spared in making them elegant. But the pace was too fast and the indebtedness has become so great that a committee has been appointed to close up

Knights of Pythias Fair.

At the meeting of the committee of the Knights of Pythias, which has in charge the arrangements of the fair to be given April 23, 24, 25 and 26 at Tomlinson Hall. the booth committee submitted plans for sixteen booths to be arranged as were those at the Flower Mission fair. The booths will be in charge of the various lodges. An entertainment will be given each evening of Advance Sale

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